

IN THE UNITED STATES DISTRICT COURT  
DISTRICT OF SOUTH CAROLINA  
COLUMBIA DIVISION

Fay N. Scott,

Plaintiff,

v.

South Carolina Office of Attorney  
General,

Defendant.

C/A No. 3:23-cv-1963-SAL-PJG

**ORDER**

This matter comes before the Court on Plaintiff's Motion for Leave to proceed *in forma pauperis* under 28 U.S.C. § 1915. (ECF No. 2). In accordance with 28 U.S.C. § 636(b) and Local Civil Rule 73.02(B)(2)(e) (D.S.C.), the case was referred to the Magistrate Judge for initial review.

The Magistrate Judge assigned to this action<sup>1</sup> issues a thorough Report and Recommendation ("Report"). (ECF No. 8). Within the Report, the Magistrate Judge recommends Plaintiff's motion should be denied. The Report sets forth, in detail, the relevant facts and standards of law on this matter, and this Court incorporates those facts and standards without a recitation.

Petitioner was advised of his right to object to the Report, which was entered on the docket on May 23, 2023. *Id.* The Magistrate Judge required Petitioner to file objections by

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<sup>1</sup> The Magistrate Judge's review is made in accordance with 28 U.S.C. § 636(b)(1)(B) and Local Civil Rule 73.02(B)(2)(d) (D.S.C.). The Magistrate Judge makes only a recommendation to this Court. The recommendation has no presumptive weight, and the responsibility to make a final determination remains with the Court. *Mathews v. Weber*, 423 U.S. 261 (1976).

June 6, 2023. Petitioner failed to file objections or otherwise respond to the Report. Thus, this matter is ripe for review.

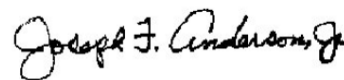
A district court is only required to conduct a *de novo* review of the specific portions of the Magistrate Judge's Report to which an objection is made. *See* 28 U.S.C. § 636(b); Fed. R. Civ. P. 72(b); *Carniewski v. W. Virginia Bd. of Prob. & Parole*, 974 F.2d 1330 (4th Cir. 1992). In the absence of specific objections to portions of the Magistrate's Report, this Court is not required to give an explanation for adopting the recommendation. *See Camby v. Davis*, 718 F.2d 198, 199 (4th Cir. 1983).

After carefully reviewing the applicable laws, the record in this case, and the Report, this Court finds the Magistrate Judge correctly concluded Plaintiff should not be allowed to proceed *in forma pauperis* because she would not be rendered destitute by being required to pay the filing costs of \$402.00 to initiate her lawsuit. After a review of the record, this Court agrees with the Report's findings and adopts the Report in full.

Therefore, this Court adopts the Report in full (ECF No. 8) and denies Plaintiff's motion to proceed *in forma pauperis*. (ECF No. 2).

IT IS SO ORDERED.

June 27, 2023  
Columbia, South Carolina



Joseph F. Anderson, Jr.  
United States District Judge